

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5838 of 2016

Smt. Anita Singh W/o Shri Pratik Kaushik, Aged About 28 Years (After Marriage Now Kaushik), R/o Mangla Road, Chandra Vihar Colony, Mangla, Bilaspur Post Mangla & Thana Chakarbhata, District Bilaspur Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary Animal Husbandry Development Department, Mahanadi Bhawan, Ministry New Raipur Chhattisgarh
2. Dy. Director, Veterinary Services, Korba, District Korba Chhattisgarh

---- Respondents

Shri Somkant Verma, counsel for the petitioner/s.
Shri B.Gopakumar, Dy.A.G. for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

24/10/2016

Petitioner's grievance is that even though the petitioner has been transferred vide order dated 23/07/2016 passed by the State Government, the petitioner is not being relieved.

2. On the other hand, learned State counsel submits that the transfer order has to take effect as per the order of the State Government.

3. The issue regarding implementation of transfer order has been considered by this Court in the case of **Ms. Manisha Agrawal Vs. State of Chhattisgarh and Others, 2015(4) C.G.L.J.182**, wherein relying upon several judgments of the Supreme Court, it has been held by this Court that once the employee has been transferred, it is required to be complied with unless it is modified, varied or cancelled.

4. Therefore, in these circumstances, either the transfer order has to be implemented or the State has the option to cancel, vary or modify or keep in abeyance.

5. Accordingly, this petition is disposed off with a direction that if the transfer order of the petitioner is not cancelled, varied or kept in abeyance by the respondent-Transferring Authority, the petitioner would be required to be relieved towards implementation, execution of the transfer order.

6. The petition is accordingly finally disposed off.

Sd/-

(Manindra Mohan Shrivastava)
Judge